

April 7, 2014

West Des Moines City Council Proceedings  
Monday, April 7, 2014

Mayor Pro tem Kevin L. Trevillyan opened the regularly scheduled meeting of the City Council of West Des Moines, Iowa, in the Council Chambers of the West Des Moines City Hall on Monday, April 7, 2014 at 5:30 PM. Council members present were: R. Messerschmidt, J. Mickelson, J. Sandager, and K. Trevillyan. Council member R. Trimble participated via telephone.

On Item 1. Agenda. It was moved by Messerschmidt, second by Mickelson approve the agenda as presented.

Vote 14-091: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 2. Public Forum:

Florine Swanson, representing Vision 2020, commended the City of West Des Moines for achieving gender balance of its boards and commissions and presented an award for Outstanding Leadership in Gender Equality on Boards/Commissions.

Luanne Smith, 631 South 26th Street, requested Council consideration to allow the raising of chickens in city limits. She stated she would like to raise several chickens in her backyard, because she believes they help with pest control and they produce healthier eggs than what can be bought in grocery stores.

Jody Smith, Deputy City Manager/City Clerk, stated the matter is on tonight's agenda as Item 8(a), as staff is suggesting the Council refer a suggested Code Amendment to the Plan and Zoning Commission, where a public hearing would be held in the coming weeks. He stated staff will provide information on the public hearing to Ms. Smith.

On Item 3. Council/Manager/Other Entities Reports:

Council member Sandager reported he attended a meeting of the Development and Planning Subcommittee on March 27, where discussion was held on the Community Development Block Grant program allocation, a proposed amendment to the Eight Ways PUD that would rezone parcels to single family, a proposed conference center west of Des Moines Golf and Country Club, and a proposed new gymnasium for Iowa Christian Academy.

Council member Trevillyan reported he attended a meeting of the Valley Junction Events Advisory Subcommittee, where discussion was held on the upcoming event season. He noted the subcommittee made a decision last fall to discontinue the shuttle service at Hillside Elementary for the Valley Junction Farmers Market. He also stated the decision was made to suspend the

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committee indefinitely because it has served its purpose, but the committee can reconvene at any time if needed. Mr. Trevillyan also reported he will hold a Ward 1 Quarterly Town Hall meeting on Saturday, April 12.

Council member Mickelson reported there were approximately 30 applicants for the vacant position of President of the WDM Chamber of Commerce, of which several will be brought in for interviews next week. He stated they hope to make an offer to one of the candidates in the next couple weeks.

Council member Messerschmidt reported he attended a meeting of the Public Safety Subcommittee, where discussion was held on the WestPet program, because the current vendor is going out of business.

City Manager Greg Sparks reported the March building report has been released and shows the year-to-date added valuation is approximately \$24 million, which is a little lower than the same period last year, likely due to the cold winter we've had, but 2014 is still expected to be a strong year for development. He stated a meeting was held with the Southwest Economic Development Cooperative on March 27th, where HR Green presented a feasibility study on the Warren County portion of Veterans Parkway. He also stated the next Development and Planning Subcommittee meeting will include a discussion with Waukee representatives on the naming of the future 105th Street/Alice's Road corridor. He also reported an initial meeting of the newly-created City-School Collaborative will be held on April 9th with representatives from the West Des Moines and Waukee school districts.

On Item 4. Consent Agenda.

Council members pulled Item 4(i) for discussion. It was moved by Messerschmidt second by Sandager to approve the consent agenda as amended.

- a. Approval of Minutes of March 24, 2014 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
  - 1. BL Restaurant Operations, LLC d/b/a Bar Louie, 7105 Mills Civic Parkway, Suite 150 - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - New
  - 2. Blazin Wings, Inc. d/b/a Buffalo Wild Wings Grill & Bar, 6925 Mills Civic Parkway, Suite #115 - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
  - 3. El Rey Corporation d/b/a El Rey Burritos, 1310 Grand Avenue - Class LC Liquor License with Sunday Sales - New
  - 4. Historic Valley Junction Foundation d/b/a Historic Valley Junction Foundation, 137 5th Street - Class LC Liquor License with Sunday Sales and Outdoor Service - New (6 Month License)

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5. Hy-Vee, Inc. d/b/a Hy-Vee Corporate Conference Center, 5820 Westown Parkway - Class LC Liquor License with Carryout Wine, Sunday Sales, and Catering Privileges - Renewal
6. Hy-Vee, Inc. d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway - Transfer Location Temporarily to 1236 Jordan Creek Parkway (SpringHill Suites) - April 16-17, 2014
7. BDF, Inc. d/b/a The Longest Yard, 122 5th Street - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
8. W West Investments, LLC d/b/a Wellman's West, 597 Market Street - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
9. W West Investments, LLC d/b/a Wellman's West Rooftop, 597 Market Street (Rooftop) - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
- d. Approval of Extended Sound Permits:
  1. Glen Oaks Country Club, 1401 Glen Oaks Drive
  2. Wellman's Pub & Rooftop, 597 Market Street
- e. Approval of Designation - Interim City Manager
- f. Approval to Hire Additional Planner
- g. Approval of Consent to Allow Ahlers & Cooney, P.C. to Represent the West Des Moines Community School District
- h. Approval and Acceptance of Right-of-Way Easement - Robert F. Etzel Living Trust
- j. Order Construction:
  1. Holiday Park Baseball Field Improvements - Phases 1 & 2
  2. 2014 Concrete Trail Renovation
  3. Woodland Park Sanitary Sewer Rehabilitation
  4. Sheraton and North Slope Lift Station Improvements
  5. 2014 Sewer Cleaning and Televising Program
  6. 2014 Intake Repair Program
- k. Approval of Agreement - Main Street Iowa Program - Historic Valley Junction Foundation
- l. Approval and Acceptance of Easements for the Woodland Park Sanitary Sewer Rehabilitation Project
- m. Support of the MPO Tomorrow Plan
- n. Approval of Amendment - City Manager Employment Agreement
- o. Approval of Extension of Entitlement - Office at the Galleria
- p. Approval and Acceptance of Agreements and Easements - Westside Community Center, 134 6th Street
- q. Proclamation - Parkinson's Disease Awareness Month, April 2014

Vote 14-092: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

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On Item 4(i) Approval of Grant Applications - Dallas County Foundation:

1. Park/Recreation Department
2. Public Works Department
3. Emergency Medical Services
4. WestCom
5. Human Services

Council member Mickelson commended staff for their efforts in seeking these grants.

It was moved by Mickelson, second by Messerschmidt to approve Item 4(i) Approval of Grant Applications - Dallas County Foundation.

Vote 14-093: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 5(a) Sugar Creek Stormwater Connection Fee District, generally bounded on the east by South 88th Street, on the south by the Raccoon River, on the north by Interstate 80 and on the east by the approximate west ridgeline of the Sugar Creek Basin - Establishment of District and Fees, initiated by the City of West Des Moines

It was moved by Sandager, second by Mickelson to consider the second reading of the ordinance.

Vote 14-094: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Sandager, second by Messerschmidt to approve the second reading of the ordinance.

Vote 14-095: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

It was moved by Sandager, second by Mickelson to waive the third reading and adopt the ordinance in final form.

Vote 14-096: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 5(b) Adoption of the 2012 Edition of the International Building Code and Residential Code, initiated by the City of West Des Moines

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It was moved by Messerschmidt, second by Sandager to consider the second reading of the ordinance.

Vote 14-097: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Sandager, second by Mickelson to approve the second reading of the ordinance.

Vote 14-098: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

It was moved by Sandager, second by Mickelson to waive the third reading and adopt the ordinance in final form.

Vote 14-099: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 6(a) Mayor Pro tem Trevillyan indicated this was the time and place for a public hearing to consider Brody Place Estates, south of Ashworth Road between future 81st and 84th Streets - Amend the Comprehensive Plan Land Use Designation from Office (OF) to Single Family Residential (SFR) and Rezone the Property from 'Unzoned' to Residential Single Family (RS-20), initiated by Willmington Group (continued from March 10, 2014 meeting). He asked for the date the notice was published and the City Clerk indicated the notice was originally published on February 21, 2014 in the Des Moines Register. Mayor Pro tem Trevillyan asked if any written comments had been received. The City Clerk stated on a vote of 5-0, with two members absent, the Plan and Zoning Commission recommended the proposed Comprehensive Plan Amendment and proposed Rezoning both be denied by the City Council. He also stated a staff memorandum indicates inclusion of an adjacent property owner's desire to clarify comments made at the Plan and Zoning Commission minutes.

Council member Mickelson requested additional information on what is being presented to the Council.

Jody Smith, Deputy City Manager/City Clerk, responded the protocol for requests denied by the Plan and Zoning Commission requires a City Council vote of 75 percent or more in favor would be required if the City Council desired to approve the requested amendment to the comprehensive plan and the rezoning. He stated staff suggests, if the Council wishes to approve the request, to approve a motion directing staff to prepare a Resolution and an Ordinance reflecting such approval language for consideration at a subsequent Council meeting.

Council member Trimble inquired if this item is time sensitive.

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William Lillis, 317 6th Avenue, Suite 300, on behalf of the applicant, Greg Judas, responded it is a time sensitive matter. He requested the Council approve a motion directing staff to prepare a Resolution and an Ordinance approving the proposed Comprehensive Plan Amendment and proposed Rezoning for consideration at a subsequent Council meeting. He reported the proposed development would be made up of 32 large residential lots. He noted the Rogers property, which is adjacent to the proposed development, could be excluded from the proposed Comprehensive Plan Amendment and proposed Rezoning. He stated he does not believe the request to be spot zoning, because he considers it more of a hybrid. He requested the Council take another look at the request and not take action to deny it tonight.

Council member Messerschmidt requested additional information related to bringing sanitary sewer to the area.

Greg Judas, Willmington Group, 5530 West Parkway, Johnston, reported when he met with staff to discuss the proposed development, they provided a list of requests for the development, which included the construction of a sanitary sewer, and the proposed plan addresses all those matters. He stated the proposed plan divides the cost of installing sanitary sewer and water service among the lots along the south side of Ashworth Road and all the lots of his proposed development, rather than just the lots along the south side of Ashworth Road.

Council member Mickelson inquired if the adjacent property owners were invited to include their parcels in the proposed Comprehensive Plan Amendment and proposed Rezoning.

Mr. Judas responded all the surrounding property owners were invited to a neighborhood meeting, and the ones that attended were all supportive of the proposal. He stated he spoke with Sean King, an adjacent property owner to the east, who stated he didn't want to give up any of his property for right-of-way for the future extension of Aspen Drive or 81<sup>st</sup> Street. He stated he also spoke with Arminda Rogers, a property owner along Ashworth Road, early on in the process, but after that initial conversation, he was unable to reach her with further details of the proposed plan.

Council member Sandager inquired if the land is designated Office (OF) in the Comprehensive Plan only.

Mr. Judas responded yes, it is only designated Office (OF) in the Comprehensive Plan, and it is currently 'Unzoned'. He explained that if the designation of office remains, the lots south of future Aspen Drive will be difficult to develop, because the buffer requirements would limit the amount of buildable land on those lots. He stated he believes it makes more sense to designate the entire area south of Ashworth as residential, with Ashworth Road acting as a buffer to the future office parcels to the north.

Council member Sandager inquired about the demand for large residential lots and office lots.

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Mr. Judas responded there is very high demand for large residential lots, but since there is already a supply of vacant office space and undeveloped land designated for office by the Comprehensive Plan, the current demand for office land is lower.

Mr. Lillis reiterated his request that the Council take another look at the proposal and not take action to deny it tonight

Council member Messerschmidt inquired if the Council does vote to consider approval of the request at a subsequent Council meeting, if the applicant would be willing to reach out to Ms. Rogers one more time.

Mr. Lillis indicated they would be happy to.

Mayor Pro tem Trevillyan asked if there were any public comments.

Arminda Rogers, 8410 Ashworth Road, expressed opposition to the proposed amendment, citing concerns that it could have a negative impact on her property's value and she doesn't want her property to become a buffer between executive homes to the south and offices to the north.

Council member Messerschmidt inquired if Ms. Rogers would be willing to talk with Mr. Judas.

Ms. Rogers responded she would be willing to talk with him.

Mayor Pro tem Trevillyan asked if there were any additional public comments; hearing none he declared the public hearing closed.

Council member Sandager noted this proposal could benefit Ms. Rogers by significantly reducing her share of the costs to improve the infrastructure in that area.

It was moved by Sandager, second by Messerschmidt to approve Motion - directing staff to draft a proposed Resolution and Ordinance for approval of the amendment to the comprehensive plan and rezoning requests to be considered at the April 21, 2014 City Council meeting.

Vote 14-100: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 6(b) Mayor Pro tem Trevillyan indicated this was the time and place for a public hearing to consider Grand Avenue East Stormwater Connection Fee District, generally bounded on the east by 1st Street, Hoak Drive and the railroad right-of-way, on the south by Prospect Road, on the west by the ridge line of the basin extending between 8th Street and 10th Street and on the north by Ashworth Road, 8th Street and Clegg Road - Establishment of District and Fees, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on March 14 and March 21, 2014 in the Des

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Moines Register. Mayor Pro tem Trevillyan asked if any written comments had been received. The City Clerk stated an email from City Engineer Duane Wittstock is on the dais, which describes a phone conversation he had with Jean McGhee, 605 Clegg Road, in which she objected to the proposed stormwater connection fee district.

Mayor Pro tem Trevillyan asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Sandager, second by Mickelson to consider the first reading of the ordinance.

Vote 14-101: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Sandager, second by Mickelson to approve the first reading of the ordinance.

Vote 14-102: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 6(c) Mayor Pro tem Trevillyan indicated this was the time and place for a public hearing to consider Fareway, 329 Grand Avenue - Establish a Planned Unit Development (PUD) Consistent with the Grand Avenue Redevelopment Plan, initiated by Fareway Stores, Inc. He asked for the date the notice was published and the City Clerk indicated the notice was published on March 21, 2014 in the Des Moines Register. Mayor Pro tem Trevillyan asked if any written comments had been received. The City Clerk stated on a vote of 6-0, with one member absent, the Plan and Zoning Commission recommended City Council approval of the proposed rezoning.

Mayor Pro tem Trevillyan asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Sandager, second by Messerschmidt to consider the first reading of the ordinance.

Vote 14-103: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Sandager, second by Messerschmidt to approve the first reading of the ordinance.



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Vote 14-104: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 6(d) Mayor Pro tem Trevillyan indicated this was the time and place for a public hearing to consider Recodification of West Des Moines City Code, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on March 28, 2014 in the Des Moines Register. Mayor Pro tem Trevillyan asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Pro tem Trevillyan asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Messerschmidt, second by Sandager to consider the first reading of the ordinance.

Council member Mickelson noted the City has used the same codifier since 1990, and he inquired if it has ever gone out for bid during that time.

Jody Smith, Deputy City Manager/City Clerk, responded a change in the codifier would require a significant change in the way the City Code is formatted, and staff's recommendation has been to not go down that route.

Vote 14-105: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Sandager, second by Mickelson to approve the first reading of the ordinance.

Vote 14-106: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 6(e) Mayor Pro tem Trevillyan indicated this was the time and place for a public hearing to consider Community Center and Lift Station Building Improvements, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on March 28, 2014 in the Des Moines Register. Mayor Pro tem Trevillyan asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Pro tem Trevillyan asked if there were any public comments; hearing none he declared the public hearing closed.

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It was moved by Messerschmidt, second by Sandager to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Edge Commercial, LLC.

Vote 14-107: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 7(a) Fairmeadows School Addition, 807 23rd Street - Building Additions and Parking Lot Rearrangement, initiated by West Des Moines Community School District

It was moved by Sandager, second by Mickelson to adopt Resolution - Approval of Major Modification, subject to the applicant complying with all applicable City Code requirements and the following conditions of approval:

1. Providing the executed irrevocable offer of dedication, prior to obtaining a building permit.
2. Providing a streetlight agreement for when the overhead electric goes under ground, prior to obtaining a building permit.
3. Providing final site plan drawings, prior to obtaining a building permit.
4. Satisfying the requirements for a storm water management plan, prior to obtaining a building permit.

Vote 14-108: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 7(b) Dowling Catholic High School, 1400 Buffalo Road - Construction of a Chapel Addition and Installation of Football Field Lighting, initiated by Dowling Catholic High School

It was moved by Sandager, second by Mickelson to adopt Resolution - Approval of Major Modification, subject to the applicant complying with all applicable City Code requirements and the following conditions of approval:

1. Applicant obtaining a new NPDES Permit, or providing proof of a valid permit prior to initiating any site grading activities;
2. The applicant installing 'No Parking Fire Lane' signage as directed by the City's Fire Marshal; and
3. The applicant ensuring appropriate emergency response access is provided at all times during construction of the Chapel addition.

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Vote 14-109: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 7(c) ENT Clinic of Iowa, 1455 29th Street - Installation of a Back-up Generator,  
initiated by Fourteen 55 29th St, LC

It was moved by Messerschmidt, second by Sandager to adopt Resolution - Approval of Major  
Modification, subject to the applicant complying with all applicable City Code requirements.

Vote 14-110: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 7(d) Silverwood Plat of Survey, northeast corner of South 88th Street and Coachlight  
Drive - Create One Parcel for Transfer of Ownership, initiated by Jerry Bussanmas, LLC

It was moved by Sandager, second by Mickelson to adopt Resolution - Approval of Plat of  
Survey, subject to the applicant complying with all applicable City Code requirements and the  
following conditions of approval:

1. The applicant acknowledging that the parcel being created with this Plat-of-Survey is  
unbuildable, including the construction of any residential dwellings until such time that a  
Final Plat creating single family residential lots consistent with the 2007 approved  
Silverwood Preliminary Plat is approved by the City Council;
2. The applicant acknowledging that any further land splits of the parcel must be done  
through the provision of a Final Plat consistent with the 2007 approved Silverwood  
Preliminary Plat, or if different, through the provision of a Preliminary and Final Plat;  
and
3. At time of Final Platting, the applicant providing all subdivision information, documents,  
sureties, easements and agreements, dedication of street rights-of-way, and exactions  
typical of the subdivision process and as deemed necessary by the City of West Des  
Moines.

Vote 14-111: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 7(e) Etzel Cascade Creek, southwest corner of South 81st Street and Coachlight Drive -  
Create One Parcel for Transfer of Ownership, initiated by Robert F. Etzel

It was moved by Messerschmidt, second by Sandager to adopt Resolution - Approval of Plat of  
Survey, subject to the applicant complying with all applicable City Code requirements and the  
following conditions of approval:

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1. The applicant acknowledging that parcels being created with this Plat-of-Survey are unbuildable, including the construction of any residential dwellings on either parcel until such time that they are re-platted through the City's full subdivision process (Preliminary and Final Plat);
2. The applicant acknowledging that any further land splits of either parcel must be done through the City's full subdivision process (Preliminary and Final Plat); and
3. At time of re-platting, the Cascade Creek developers providing all subdivision information, drawings, documents, sureties, easements and agreements, dedication of street rights-of-way, and exactions typical of the subdivision process and as deemed necessary by the City of West Des Moines. And, Mr. Etzel, current owner of the property adjacent to the subject property dedicating street rights-of-way necessary for future Cascade Avenue adjacent to the western portion of the Cascade Creek property.

Vote 14-112: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 8(a) Animal Keeping, Title 9, Chapter 5, Section 8, Table 5.3 Agricultural Uses/Animal Keeping and Title 9, Chapter 10, Section 4d Performance Standards - City Initiated - Referred to Plan and Zoning Commission

On Item 9 - Other Matters:

Council member Sandager stated Plan and Zoning Commissioners Kevin Crowley and Scott Hatfield had expressed to him a desire to have a member of the Plan and Zoning Commission appointed to the Development and Planning Subcommittee, so the City Council and Plan and Zoning Commission can both be better informed of each other's matters.

Discussion was held on how to best include the Plan and Zoning Commission in the discussions of the Development and Planning Subcommittee, and a consensus was reached to include the Plan and Zoning Commission on emails related to Development and Planning Subcommittee meetings and to ask staff to consider option(s) that would further enhance communications between the Plan and Zoning Commission and the Development and Planning Subcommittee.

Mayor Pro tem Trevillyan presented outgoing City Manager Greg Sparks with a plaque of appreciation for his service to the City of West Des Moines and thanked him for his service.

City Manager Greg Sparks stated it has been a pleasure to serve the City of West Des Moines.

Noah Hillman, with the American Parkinson's Disease Association, inquired if he missed Item 4(q) Proclamation - Parkinson's Disease Awareness Month, April 2014

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Mayor Pro tem Trevillyan apologized for missing that item. He then read Proclamation - Parkinson's Disease Awareness Month, April 2014.

Council member Sandager stated his father died from Parkinson's Disease, so this is very near and dear to him.

The meeting was adjourned at 6:44 p.m.

Respectfully submitted,

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Ryan T. Jacobson, CMC  
Deputy City Clerk

ATTEST:

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Kevin L. Trevillyan, Mayor Pro tem